

153501-0134/P02030US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Bosley et al.  
Serial No. : 09/316,896  
Filed : May 22, 1999  
For : Smart Turbogenerator Power  
Control System  
Examiner : Jennifer Dougherty  
Art Unit : 3672

CERTIFICATE OF MAILING  
UNDER 37 CFR 1.08

12/11/00

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Kathleen Krochko

Typed or Printed Name of Person Mailing Paper or Fee

Kathleen Krochko

Signature of Person Mailing Paper or Fee

POWER OF ATTORNEY  
AND  
REVOCATION OF PREVIOUS POWERS

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.36, I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified patent application and hereby appoint IRELL & MANELLA LLP, 1800 Avenue of the Stars, Suite 900, Los Angeles, California 90067, telephone number (310) 277-1010 (direct all communications to Rachele Wittwer) and:

| <u>Attorney</u>   | <u>Reg. No.</u> |
|-------------------|-----------------|
| Norman E. Brumell | 26,533          |
| Gary Frischling   | 35,515          |
| Soyeon Laub       | 39,266          |
| Raj Sardesai      | 39,825          |
| Samuel K. Lu      | 40,707          |
| Flavio Rose       | 40,791          |

| <u>Attorney</u>     | <u>Reg. No.</u> |
|---------------------|-----------------|
| Benjamin Hattenbach | 41,820          |
| Andrei Iancu        | 41,862          |
| Paul Backofen       | 42,278          |
| Robert Popa         | 43,010          |
| Peter Wied          | 43,264          |

(all of the same address), and any and all attorneys associated therewith after this date, individually and collectively my attorneys to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

153501-0134/P02030US

I am the:

☐ Applicant.

☒ Assignee of record of the entire interest;  
and pursuant to 37 C.F.R. § 3.71 I hereby state that I am the assignee of record of the  
entire interest in the patent application identified above by virtue of an assignment  
from the inventor(s) of the patent application identified above. The assignment was  
recorded in the Patent Office at Reel 009989, Frame 0080, and a copy thereof is  
attached.

**Signature of Applicant or Assignee of Record**

Name: Jeffrey Watts

Signature: \_\_\_\_\_

*Jeffrey Watts* CFD

Date: \_\_\_\_\_

12-8-00

**DECLARATION FOR PATENT APPLICATION**

Docket No. AM-9810

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SMART TURBOGENERATOR POWER CONTROL SYSTEM**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ALBERT J. MILLER

Address all telephone calls to Albert J. Miller at (707) 964-1154

Address all correspondence to Albert J. Miller, 24441 Hillshore Drive, Westport, CA 95488

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor ROBERT W. BOSLEY  
First joint inventor's signature Robert W. Bosley Date 5-19-99  
Residence Cerritos, CA Citizenship U.S.A.  
Post Office Address 18104 Hoffman Avenue, Cerritos, CA 90703

Full name of second joint inventor EDWARD C. EDELMAN  
Second joint inventor's signature Ed. Edelman Date 5/19/1999  
Residence Agoura Hills, CA Citizenship U.S.A.  
Post Office Address 30406 Passageway Place, Agoura Hills, CA 91301

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

Docket No. AM-9810

Applicants: Robert W. Bosley and Edward C. Edelman

Title: **SMART TURBOGENERATOR POWER CONTROL SYSTEM**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in the specification filed herewith with title as listed above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

Capstone Turbine Corporation  
6430 Independence Avenue  
Woodland Hills, CA 91367

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Robert W. Bosley

Signature

Date

Robert W. Bosley 5-19-1999

NAME OF INVENTOR Edward C. Edelman

Signature

Date

Edward C. Edelman 5-19-1999

**VERIFIED STATEMENT    AIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket No. AM-9810

Applicants: Robert W. Bosley and Edward C. Edelman

Title: **SMART TURBOGENERATOR POWER CONTROL SYSTEM**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN    Capstone Turbine Corporation

ADDRESS OF SMALL BUSINESS CONCERN    6430 Independence Avenue, Woodland Hills, CA 91367

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the specification filed herewith with title as listed above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:  
No such person, concern, or organization exists.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

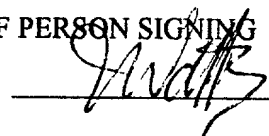
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING    Jeffrey R. Watts

TITLE OF PERSON IF OTHER THAN OWNER    Senior Vice President, Finance and Administration

ADDRESS OF PERSON SIGNING    6430 Independence Avenue, Woodland Hills, CA 91367

SIGNATURE



DATE    5/19/99